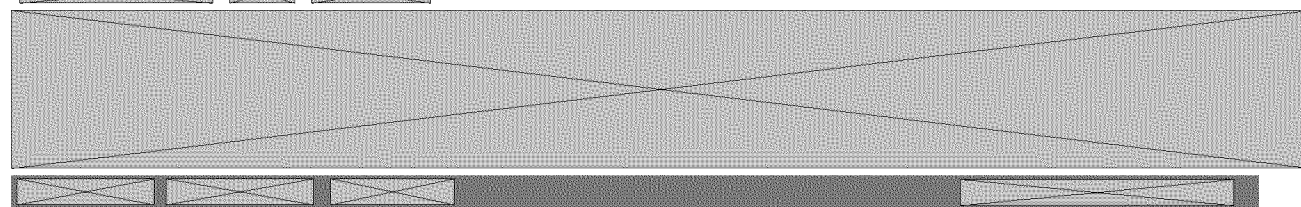


To: Tyler, Patti[Tyler.Patti@epa.gov]
From: BNA Highlights
Sent: Sat 8/15/2015 1:01:53 AM
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August 17, 2015 - Number 158

MY HEADLINES

California Company Accused of Illegal Toxic Discharges

A plastic products manufacturer is violating the Clean Water Act by releasing toxic chemicals into a stormwater system that discharges at San Francisco Bay, environmental advocates alleged in a complaint filed in a federal district court (Plastic Pollution Coal. v. TE Connectivity, dba Tyco Electronics Corp., N.D. Calif. , No. 3:15-cv-3658, 8/11/15).

(Topic: wastewater; Topic: water pollution)

Congress to Look at Coal Funding Ban, Permitting in Fall

Senate efforts to streamline environmental permitting for major energy and other projects and to overturn President Barack Obama's ban on funding overseas coal-fired power plants stalled just before Congress left for its August recess, but they are likely to get another look from the House and Senate this fall.

(Topic: environmental legislation)

Council Releases Gulf Ecosystem Priorities List

A coalition of Gulf Coast governors and federal officials is proposing to use \$139.6 million of settlement money from the Deepwater Horizon explosion to fund restoration activities such as hydrologic restoration, land conservation, and planning for large-scale restoration projects across the region, the group announced Aug. 14.

(Topic: oil and gas; Topic: water pollution)

Court Leaves Engine Exemption In Effect Until May

A regulatory exemption that allows backup generators to operate for up to 100 hours per year without emissions controls as part of an emergency demand-response program may remain in effect until May 1, 2016, despite an adverse court ruling, a federal appeals court said Aug. 14 (Del. Dep't of Natural Res. & Env'tl. Control v. EPA, D.C. Cir., No. 13-1093, motion granted 8/14/15).

(Topic: air pollution; Agency: Environmental Protection Agency)

Days After Spill, Animas River Opens to Recreation

The Animas River has reopened for recreational use, with a health advisory from the Colorado Department of Public Health and Environment, following an accidental mining waste release eight days earlier by the Environmental Protection Agency.

(Topic: wastewater; Topic: water pollution; State: Colorado)

(Topic: air pollution; Topic: climate change; Agency: Environmental Protection Agency)

reports. At the same time, pipeline companies face a legal landscape that is far from forgiving. More »

Only a few days of storm has stripped three anti-tracking county charter initiatives from the November ballot. [More »](#)

(Topic: oil and gas)

(Methods, and to make those methods available to the public. More »

short-term removal action, the U.S. District Court for the Northern District of California says. As a result, the court says it's unnecessary to determine the

nature of the cleanup. [More »](#)

North Carolina Opposes Utility's Coal Ash Removal Plan

going into those negotiations. [More »](#)

(Agency: Environmental Protection Agency)

HIGHLIGHTS

Peabody Energy Asks Court to Block Power Plant Rule
Peabody Energy Corp. is seeking an emergency writ from a federal appellate court to block implementation of the Environmental Protection Agency's Clean Power Plan from the Murray Energy Corp., D.C. Cir. No. 14-1112, petition for emergency writ (1/15).
[Read more »](#)

Power Plan's Justice Actions Part of EPA Trend

The Environmental Protection Agency's efforts to protect vulnerable communities under its landmark Clean Power Plan rule have been hailed as unprecedented, with many Washington observers saying it is part of a trend at the agency to assess and address more thoroughly environmental justice in its rules.
[Read more »](#)

EPA Proposes Methane More Stringent Limits for Landfills

Special Report: Power Plan's Justice Actions Part of EPA Trend

Protections

Peabody Energy Asks Court to Block Power Plant Rule

No Formal Approval Needed for Anti-Degradation Methods

Consent Order Didn't Trigger CERCLA Filing Clock

Congress to Look at Coal Funding Ban, Permitting in Fall

China Chemical Explosions Prompt Nationwide Inspections

China's central government orders nationwide inspections of chemical storage, production, transport, logistics and port facilities, after deadly explosions at a chemical storage facility in the northeast port city of Tianjin, the Safety Committee of the State Council announces. Managers from the Tianjin Port Ruihai International Logistics Co., where the explosions occurred, acknowledge they had stored hazardous chemicals but have yet to give a full accounting of the exact substances or their amounts. [More »](#)

Court Leaves Engine Exemption in Effect Until May

A regulatory exemption that allows backup generators to operate for up to 100 hours per year without emissions controls as part of an emergency demand-response program may remain in effect until May 1, 2016, despite an adverse court ruling, a federal appeals court says. The U.S. Court of Appeals for the District of Columbia Circuit grants an EPA motion to stay issuance of a mandate that would vacate the exemption, which the agency says is needed to ensure grid reliability. [More »](#)

Days After Spill, Animas River Opens to Recreation

The Animas River reopens for recreational use, with a health advisory from the Colorado Department of Public Health and Environment, following an accidental mining waste release by the EPA. The river was closed to recreational uses after the EPA accidentally triggered a spill of 3 million gallons of metals and sediment from the Gold King Mine near Silverton, Colo., but data now show levels of contamination below levels of human health concern during typical recreational exposure. [More »](#)

NTP Analyzing Perfluorinated Chemicals' Immune Effects

Information about recently completed or ongoing research that could offer insight as to whether two perfluorinated chemicals harm the immune system is being sought by the National Toxicology Program. The NTP's Office of Health Assessment and Translation also is seeking nominations of epidemiologists, immunotoxicologists and other scientists. Selected experts would peer-review the planned analysis of the potential of perfluorooctanoic acid and perfluorooctane

sulfonate to harm the immune system. [More »](#)

Japan Environment Minister Backs Nuclear Over Coal

After restarting one of 50 nuclear power reactors that had been idled since the 2011 Fukushima reactor meltdown, Japanese Prime Minister Shinzo Abe's government announces steps to bring more nuclear reactors back on line, and the top environment official says the country should reject a new coal-fired power plant. Kyushu Electric Power Co. restarts the No. 1 nuclear reactor at its Sendai nuclear power station under new stricter Nuclear Safety Commission safety rules. [More »](#)

ALSO IN THE NEWS

CLIMATE REGULATION:

The EPA amends its greenhouse gas permitting regulations to remove language vacated by federal courts. [More »](#)

REGULATORY POLICY:

Federal agencies have identified two dozen rules or regulatory provisions that they will "remove wholesale" from the books as part of their twice yearly look-back at all existing regulations, the nation's top regulatory official says. [More »](#)

HYDRAULIC FRACTURING:

Ohio's secretary of state strips three anti-fracking county charter initiatives from the November ballot as "an attempt to circumvent state law in a manner the courts have already found to be in violation of the Ohio Constitution." [More »](#)

WEBINAR

EMISSIONS TRADING:

Bloomberg BNA presents a webinar Sept. 25, "Don't Skip the Credits: The Oft-Overlooked Importance of Air Emission Credits in Mergers and Acquisitions," with Michael Scott Feeley and Aron Potash, of Latham & Watkins. CLE and CPE credits are available. Information is available at <http://www.bna.com/dont-skip-credits-m17179933676/>.

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Documents Available

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BNA INSIGHTS

Pipelines and Terrorism: Parlaying Your Company's Pipeline Security Program Into Legal Liability Protections

By John A. Drennan and
Alexander K. Haas: The
Support Antiterrorism by
Fostering Effective
Technologies Act of 2002, a
section of the Homeland
Security Act of 2002 (Pub. L.
107-296), is a little-known
means to address liability
issues that might arise when
pipelines are attacked by
terrorists. The act provides
incentives for developing
and deploying antiterrorism
technologies by providing
liability protections for claims
arising out of, relating to, or
resulting from an act of
terrorism. ...

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